



April 16, 2023

VIA ECF

The Honorable J. Paul Oetken
United States District Court
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

Re: *United States v. Christopher Canale*, 17-CR-286 (JPO)

Dear Judge Oetken:

On behalf of Christopher Canale, I write with the consent of Probation and the Government to request early termination of Mr. Canale's three-year term of supervised release, which is due to terminate on November 17, 2023. Mr. Canale, who was a first-time offender, was initially sentenced by this Court to a 36-month term of imprisonment for a serious but non-violent wire fraud offense. On April 30, 2020, after he had already served two years of his three-year sentence and was soon to report to a halfway house, this Court granted Mr. Canale a reduced sentence due to the serious health risks he faced as a result of his medical conditions during the COVID-19 pandemic. *See* Dkt. No. 46. Mr. Canale was placed on a three-month period of home detention, followed by a three-year period of supervised release, to conclude on November 17, 2023. *Id.*

By April 30, 2023, Mr. Canale will have served three years of his supervised release term, including the initial three-month period of home detention, without incident. Through forfeiture of his assets and regular restitution payments, he has satisfied \$724,752.44 of his restitution obligation.

Since he has been on supervised release, Mr. Canale has been a critical fulltime caregiver to his two children, primarily his now 12-year old son and his now 20-year old son, who is finishing his second year in college at Flagler College in Saint Augustine, Florida. Mr. Canale's role as a fulltime caregiver was critical to his family because his wife Dana has been working fulltime as a phlebotomist, which often requires her to be available at night and on short notice as a first responder. She has also been going to school parttime to obtain her degree in nursing as a Registered Nurse. She will graduate in May, and the family is making plans to relocate to Florida shortly thereafter, where Mr. Canale's son is attending college and Mrs. Canale will have job opportunities after graduation. Mr. Canale seeks early termination of supervised release to permit travel and relocation to Florida.

After considering the factors under 18 U.S.C. § 3553(a), "[t]he court may terminate a term of supervised release ... at any time after the expiration of one year of supervised release if it is

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satisfied that such action is warranted by the conduct of the defendant and the interest of justice” 18 U.S.C. § 3583(e). Indeed, the Sentencing Guidelines encourage courts to terminate an individual’s supervised release early in appropriate cases. *See* U.S.S.G. § 5D1.1, App. Note 5 (“The court has authority to terminate ... a term of supervised release.... The court is encouraged to exercise this authority in appropriate cases.”).

Mr. Canale has served the vast majority of his term of supervised release without incident, and he has successfully reintegrated into society and family life. Further supervision is therefore not necessary to serve the rehabilitative goals of supervised release. *See United States v. Hutchinson*, No. 97-CR-1146, 2021 WL 6122745, at *1 (E.D.N.Y. Dec. 28, 2021) (noting that that “the primary goal of such a term is to ease the defendant’s transition into the community after the service of a long prison term,” and granting early termination based on defendant’s good conduct and successful reintegration into society); *United States v. Erskine*, No. 05 CR. 1234 (DC), 2021 WL 861270, at *2 (S.D.N.Y. Mar. 8, 2021) (granting early termination of supervised release where defendant was “not only fully compliant with the terms of his supervision but also has taken considerable strides in reintegrating into his community through employment and service to his family”). Early termination of supervised release would also enable Mr. Canale to relocate to Florida to support his wife and child and to visit his older son in college, without the administrative burden on Probation of frequent travel requests and/or a transfer of jurisdiction once the family moves. *Cf. United States v. Bennett*, No. 11-CR-424 (AMD), 2021 WL 4798827, at *1 (E.D.N.Y. Oct. 14, 2021) (with government consent, granting early termination where defendant secured promotion that would require him to travel out of state as needed.)

For these reasons, we respectfully request that the Court grant Mr. Canale’s request for early termination of supervised release. As noted above, both Probation and the Government consent.

Thank you for your consideration of this matter.

Sincerely,

/s/ Kristen M. Santillo
Kristen M. Santillo

Granted.
Defendant's term of probation is hereby terminated under 18 U.S.C. § 3583(e).
So ordered.
4/17/2023



J. PAUL OETKEN
United States District Judge